



1647

CERTIFICATE OF MAILING

hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 26, 2003

Sandra Puljic

Sandra Puljic

PATENT

Attorney Docket No. 39780-2630P1C2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application)	<u>PATENT APPLICATION</u>
)	
Inventor(s): Ashkenazi et al.)	
)	
Application No.: 09/978,298)	Art Unit: 1647
)	
Filed: October 15, 2001)	Examiner: Unknown
)	
Title Secreted and Transmembrane Polypeptides and)	
Nucleic Acids Encoding The Same)	
)	

RECEIVED

JUL 11 2003

TECH CENTER 1600/2900

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

- ☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage
-- OR --
- ☒ (3) It is being filed before the mail date of the first Office Action on the merits
-- OR --
- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided below; **or**
- ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of \$0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 08-1641 (Docket No. 39780-2630P1C2).

Respectfully submitted,

HELLER EHRMAN WHITE & MCAULIFFE LLP

Dated: June 26, 2002

By: 
Ginger Dreger, Reg. No. 33,055

275 Middlefield Road
Menlo Park, CA 94025-3506
(650) 324-7000
Customer No. 35489



INFORMATION DISCLOSURE STATEMENT			ATTY. DOCKET NO.		SERIAL NO.		
PTO-1449			39780-2630P1C2		09/978,298		
			APPLICANT Ashkenazi et al.				
			FILING DATE 10/15/01		GROUP		
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	5,968,744	10/19/99	Hillman et al.	435	6		
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 99/10363	3/4/99	PCT	C07H	21/00	<input type="checkbox"/>	<input type="checkbox"/>
	WO 99/50405	10/7/99	PCT	C12N	15/00	<input type="checkbox"/>	<input type="checkbox"/>
	WO 99/43802	9/2/99	PCT	C12N	15/12	<input type="checkbox"/>	<input type="checkbox"/>
	WO 99/33979	7/8/99	PCT	C12N	15/12	<input type="checkbox"/>	<input type="checkbox"/>
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	Kato, S. et al., "New proteins and DNA useful for preventing tumours", Accession No. P_AAZ11186, WO 9943802-A2, filed 2/25/99, pub. 9/2/99.						
	Fan, P. et al., "New isolated human genes and the secreted polypeptides they encode useful for diagnosis and treatment of e.g. cancers, neurological disorders, immune diseases, inflammation or blood disorders", Accession No. P_AAX30168, WO9910363, filed 8/27/98, pub. 3/4/99.						
	NCI-CGAP http://www.ncbi.nlm.nih.gov/ncicgap ., "National Cancer Institute, Cancer Genome Anatomy Project (CGAP), Tumor Gene Index", Accession No. AA902726, unpublished.						
	NCI-CGAP http://www.ncbi.nlm.nih.gov/ncicgap ., "National Cancer Institute, Cancer Genome Anatomy Project (CGAP), Tumor Gene Index", Accession No. AA689524, unpublished.						
	Jacobs, K. et al., "Polynucleotides encoding secreted human proteins, derived from human adult brain, human fetal brain, human fetal kidney, and human adult blood cDNA libraries", Accession No. P_AAX90853, WO9950405-A1, filed 3/30/99, pub. 10/7/99.						
EXAMINER			DATE CONSIDERED				

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.